

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ALEXIS RODRIGUEZ-SORTO,

Plaintiff,

v.

THE GEO GROUP, INC., *et al.*,

Defendants.

Case No. 1:25-cv-00346 JLT CDB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND
DISMISSING DEFENDANTS UNITED
STATES OF AMERICA AND U.S.
IMMIGRATION AND CUSTOMS
ENFORCEMENT WITHOUT PREJUDICE
PURSUANT TO FED. R. CIV. P. 4(i) & (m)

(Docs. 2, 4, 5, 6)

Alexis Rodriguez-Sorto filed this lawsuit on March 21, 2025, against The Geo Group, Inc., Golden State Annex, the United States of America, and U.S. Immigration and Customs Enforcement. (Doc. 1). The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 13, 2025, the Court ordered Plaintiff to show cause no later than June 20, 2025, why unserved defendants or this action in its entirety should not be dismissed. (Doc. 4.) Citing Fed. R. Civ. P. 4(m), the Court admonished Plaintiff that, absent a showing of good cause, defendants not served within 90 days after the filing of the complaint must be dismissed. *Id.* The Court informed Plaintiff she could comply with the OSC in the alternative by filing executed proofs of service of summons and complaint upon all Defendants by that same deadline. *Id.*

On June 16, 2025, Plaintiff timely filed a return of service as to Defendants Golden State Annex and The Geo Group. (Doc. 5.) No return of service was filed as to the United States and ICE (“Government Defendants”), Plaintiff has not filed any declaration in response to the OSC regarding the failure to serve Government Defendants, and the time to do so has passed.

Following Plaintiff’s failures to file any return of service for Government Defendants or a response to the OSC regarding the failure, on June 24, 2025, the assigned magistrate judge issued findings and recommendations that the Court exercise its broad discretion to decline to extend the time within which Plaintiff may effect service of process upon Government Defendants, and that Government Defendants be dismissed without prejudice pursuant to Rules 4(i) and (m). (Doc. 6 at 3) (citing *In re Sheehan*, 253 F.3d 507, 512 (9th Cir. 2001).) The Court served the findings and recommendations on the Plaintiff and notified him that any objections were due within 14 days. (Doc. 6 at 4.) The Court advised him that the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

According to 28 U.S.C. § 636(b)(1)(C), this Court performed a de novo review of this case. Having carefully reviewed the matter, the Court concludes the findings and recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The findings and recommendations issued June 24, 2025 (Doc. 6) are **ADOPTED** in full.
2. Defendants United States of America and U.S. Immigration and Customs Enforcement are **DISMISSED** without prejudice pursuant to Federal Rules of Civil Procedure 4(i) and (m).
3. The Clerk of the Court is **DIRECTED** to terminate Defendants United States of America and U.S. Immigration and Customs Enforcement.

IT IS SO ORDERED.

Dated: **July 15, 2025**


UNITED STATES DISTRICT JUDGE